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Claim of T. R. Curtis. Letter from the Secretary of the Interior relative to the claim of T. R. Curtis on account of depredations by Cheyenne Indians in 1865.

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CLAIM OF T. R. CURTIS.

LETTER

FROM THE

SECRETARY OF THE INTERIOR,

RELATIVE TO

The claim of T. R. Curtis on account of depredations by Cheyenne Indians in 1865.

JANUARY 23, 1872.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 22, 1872.

SIR: I have the honor to transmit herewith a copy of a communication from the Commissioner of Indian Affairs, and accompanying papers, in relation to the claim of T. R. Curtis, for depredation on his property, alleged to have been committed by Cheyenne Indians in January, 1865, amounting to \$600.

Agreeably to the recommendation of the Commissioner of Indian Affairs the papers in the case are respectfully submitted to Congress for such action in the premises as may be deemed proper, there being no funds, within the control of the Department, applicable to the payment of the claim.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

Hon. JAMES G. BLAINE,
Speaker of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., December 19, 1871.

SIR: I have the honor to submit herewith for your decision, a claim of T. R. Curtis, for a depredation upon his property by Cheyenne Indians in January, 1865, which was filed in this office by claimant's attorneys May 8, 1866; amount claimed \$600, the value of four horses.

The claim not having been presented to the Indians, with a demand for satisfaction, as required by the provisions contained in the 17th

section of the law regulating trade and intercourse with Indian tribes approved June 30, 1834, it was sent for that purpose on the 13th of March last to Superintendent Hoag, who returned it on the 8th of September, with a report thereon by B. Darlington, agent for the Cheyennes, to the effect that the matter was duly interpreted to the Indians in council on the 4th of September ultimo, and that Little Robe, a chief, acknowledged he captured and ran off four mules and four horses, the property of T. R. Curtis, about the 1st of January, 1865, and that White-Eyed Wolf, another chief, verified Little Robe's statement. Agent Darlington remarks that Mr. Curtis disclaims ownership of the mules, and that he perceives no reason to doubt the justice of the claim for the horses.

In my judgment, the fact of the depredation as charged is sufficiently established, but in regard to the value of the property the evidence is not as satisfactory as could be desired. It will be seen, however, that the horses are described as "American." If this be the truth, \$150 each may not be deemed an exorbitant charge.

I respectfully recommend a favorable decision, and that the claim be sent to Congress, under the act of July 15, 1870, making appropriations for the Indian Department, the 4th section of which enacts that no depredation claims shall thereafter be paid until Congress shall make special appropriation therefor.

Very respectfully, your obedient servant,

F. A. WALKER,
Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

THE CHEYENNE TRIBE OF INDIANS, (known as Dog Soldiers,) 1865.

	To T. R. CURTIS,	Dr.
January 10, to one pair of bay horses.....		\$300 00
January 10, to one pair of gray horses.....		300 00
Amount		600 00

T. R. Curtis, being duly sworn according to law, upon his oath says: That he is Indian interpreter at Fort Larned, Kansas, and that he has served in that capacity since the first day of August, 1866; that during the month of December, A. D. 1864, he sent teams with Indian goods in care of John Secler, to Fort Lyon, to trade with that part of the Cheyenne tribe which were then at peace with the whites, and that while the Indians took, ran off and kept two pairs of horses of the value of six hundred dollars. (\$600,) as stated in the above account, which is just and correct, and remains due and unpaid. Affiant further says that he has good reason to and does verily believe that said horses were taken by Indians belonging to that portion of the Cheyenne tribe known as "Dog Soldiers," because Little Robe, a chief amongst them, admits the fact, stating that himself and three other Indians belonging to his band did take and run off said horses; that two were swapped away in Texas, and that the other two died.

Affiant further says that neither himself, his representative attorney, nor agent, has violated the provisions of any law or treaty by seeking or attempting to obtain private satisfaction or revenge. And further affiant saith not.

T. R. CURTIS.

Sworn and subscribed to before me, at Fort Larned, Kansas, this 10th day of April, 1866.

H. LATIMER BECK,
First Lieutenant Thirteenth Infantry, Post Adjutant.

[5-cent internal revenue stamp affixed and canceled.]

I certify on honor that First Lieutenant H. Latimer Beck, Thirteenth Infantry, whose signature is hereto attached, is adjutant of the post of Fort Larned, Kansas.

HIRAM DRYN,
Major Thirteenth United States Infantry, Commanding.

Acknowledgment of stealing from T. R. Curtis and Frank Cole, trading and doing business under the firm and style of Curtis & Cole, at Big Bend, on the Arkansas River, on or about the 17th day of May, 1864, of twenty-four head of horses, by Little Robe, who states that, to his own personal knowledge, four warriors of his band captured and run off from the said Curtis & Cole twenty-four head of horses; and he further states that he himself did capture and run off from the said T. R. Curtis, at or near Fort Lyon, Colorado Territory, on or about the 1st day of January, 1865, four head of mules and four head of American horses, the personal property of the said T. R. Curtis, and that the said Curtis & Cole, nor the said T. R. Curtis, never did recapture any of the said horses or mules.

his
LITTLE + ROBE.
mark.

his
WHITE-EYED + WOLF.
mark.

Witness:

CHARLES R. DUDLEY.

CHARLES R. DUDLEY.

The above statements were made in my presence by Little Robe, and verified by White-Eyed Wolf, two of the chiefs of the Cheyenne Indians, at Camp Supply, Idaho Territory, this 4th day of September, 1869.

BRINTON DARLINGTON,
United States Indian Agent for Cheyennes and Arapahoes.

I do solemnly affirm that I have truthfully interpreted to the Indian agent the fact above stated, at Camp Supply, Idaho Territory, September 4, 1869.

GEORGE BENT.

Affirmed before me at Camp Supply, Idaho Territory, this 4th day of September, 1869.

BRINTON DARLINGTON,
United States Indian Agent for Cheyennes and Arapahoes.

CHEYENNE AND ARAPAHO AGENCY, *Eighthmonth, 26th day, 1871.*

The foregoing acknowledgment of Little Robe and White-Eyed Wolf was made in council and demand made for satisfaction. From a letter received from T. R. Curtis, dated the 3d of present month, he disclaims ownership of the four mules.

From all the evidence within my knowledge I perceive no reason to doubt the justice of his claim for the horses.

BRINTON DARLINGTON,
United States Indian Agent.

STATE OF KANSAS, *Morris County:*

Be it remembered that, on this 20th day of March, A. D. 1866, personally came before the undersigned, clerk of the county court within and for the county of Morris, and State aforesaid, John Sechler, of lawful age, who, being duly sworn according to law, deposes and says as follows, viz:

"I was at Fort Lyon, Colorado Territory, on the tenth day of January, A. D. 1865, at which time T. R. Curtis had four head of horses stolen from him, (one pair of gray horses, and one pair of bay horses, worth six hundred dollars,) and on or about the first day of August last, 1866, on Red River, in the Indian country, I was in company with Little Robe, chief of the Dog Soldiers of the Cheyenne Nation of Indians, and in a conversation with the said Little Robe, chief, he told me that he, with three others of said tribe, run the aforesaid horses off; that he traded two of said horses off in Texas, and the remaining two horses died.

"JOHN T. SECHLER."

Sworn to before me, and subscribed in my presence, this 20th day of March, A. D. 1866.

Witness my hand and official seal, at my office in Council Grove, Morris County, Kansas, this 20th day of March, A. D. 1866.

[SEAL.]

JAMES A. ROBBINS,
County Clerk.